



BACK ON TRACK

PARTICIPANT HANDBOOK
MAY 2006



Office of the
District Attorney
Kamala D. Harris



Goodwill Industries
of San Francisco, San Mateo & Marin Counties



Goodwill Industries

of San Francisco, San Mateo & Marin Counties

Our Vision

Every eligible person between the ages of 18 and 30 charged with their first adult drug felony is able to participate in Back on Track and exit the program with felony charges dropped, having the skills needed to obtain gainful employment and the tools necessary to lead productive and healthy lives, benefiting themselves, strengthening their families and contributing to their communities.

"Although it has taken me time to finish a lot of things, I have accomplished a lot during the past six months...I managed to get my children back into my custody, finished a parenting program, learned a lot from anger management class, substance abuse program, and domestic violence therapy ... all of these experiences at these programs have made me learn a lot and understand different kinds of views and opinions in life. I have learned that things in life aren't easy to obtain, that if I want something, I have to work for it. It gives me better satisfaction as a person. I have a better life for me and my family."

Karla, Back on Track Graduate



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Back on Track

Back on Track is a program for young adults in the San Francisco area who have been arrested for low level narcotics sales or possession. Your current drug charges pose serious consequences which could potentially lead to incarceration and a felony conviction. A prison sentence and drug felony conviction will follow you your entire life. It may prevent you from obtaining General Assistance, Temporary Assistance for Needy Families (TANF) or being accepted in public housing. You could lose custody of your children. A felony conviction will cause you to be turned down for jobs.

Back on Track will provide you with an opportunity to take responsibility, alter your direction and establish a safe and healthy pathway to money and self-sufficiency through employment.

Back on Track is a partnership between the San Francisco District Attorney's Office, the California Superior Court and Goodwill Industries.

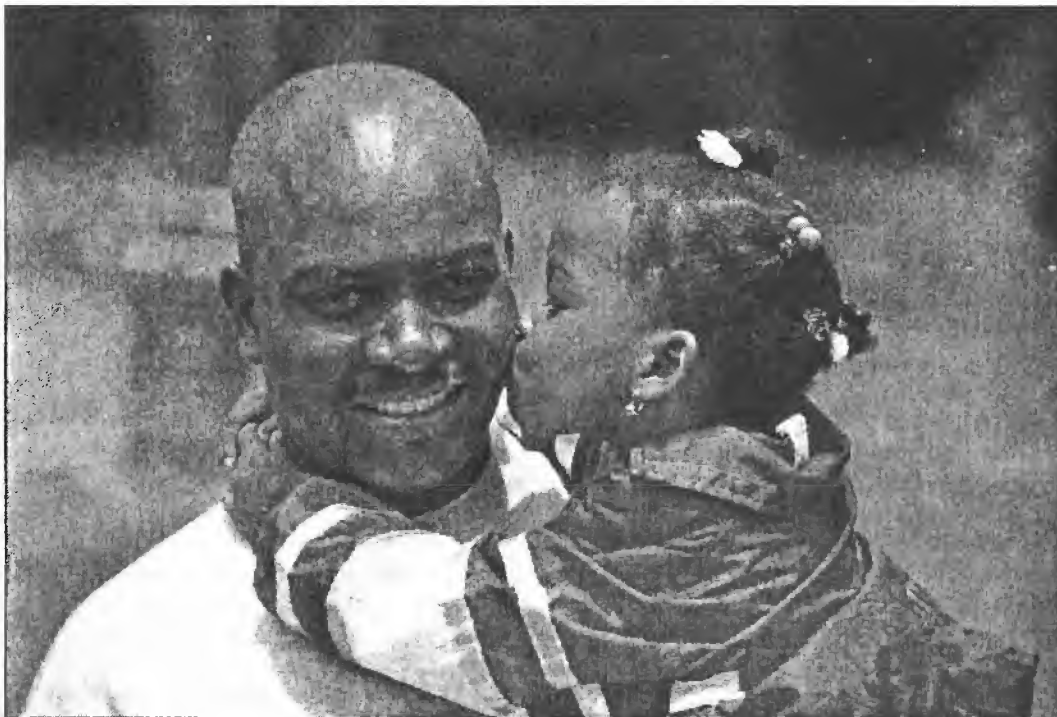




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Chapter 1

You and Your Situation

Who You Are

- 18 to 30 years old
- Resident of San Francisco, San Mateo or Alameda County

What You Have Done

- You have been charged with a sale or possession for sale felony drug offense.
- Your charge likely involves less than five grams of a controlled substance or one ounce of marijuana.

What You Face

- Felony conviction
- Up to three years in jail or prison
- Parole or probation





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Chapter 2

Back On Track Offers . . . Hope

The program provides you with the opportunity to exit free and clear. No felony, no probation, no prison – as long as you completely engage yourself and fulfill your end of the commitment. To be successful, you will have to be accountable for your actions and serious about making a change.

If You Complete This Program Successfully:

- You will avoid going to prison.
- You will avoid probation or parole.
- You will avoid a felony conviction following you around for the rest of your life.
- You will have an easier time finding a job.
- You will be able to see your children grow and enjoy your family and friends.
- You will not be making a negative impact on your community.

Length of the Program

The program is a minimum of one year. If you need longer to meet your graduation goals, that time may be extended at the discretion of the courts.



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"Some people think that not having money or a nice car is a problem, but not being able to read to your children is a real problem. That's bad. One year ago, I wasn't able to help my son with his homework. He would always have to ask his mother to help him. But this year you better believe I will be the one to help him. That is something I am very proud to say."

 Back on Track Graduate



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Chapter 3

Phase 1: The First Six Weeks

The first six weeks in Back on Track serve as a screening period. This is the time for you to evaluate whether or not you want to be in the program and if you are willing to put in the work necessary to succeed. Phase 1 is also the time for the Back on Track staff to evaluate your ability to succeed in the program.

Orientation

Orientations take place weekly at Goodwill Industries. Orientation is an opportunity to learn about the program components of Back on Track. You will meet the Back on Track staff, ask questions and determine if this program is right for you. Because Back on Track is a workforce oriented program, we will ask you to complete a self-directed search to identify your vocational and professional interests and abilities.

Intake and Assessment

In the weeks following orientation, you will begin meeting with your assigned Goodwill criminal justice specialist — twice a week by phone and once a week in person. Your criminal justice specialist will assist you throughout your progress in the Back on Track program. You must be willing to be open and honest with your criminal justice specialist around your needs so he or she can support you as challenges arise.

Your criminal justice specialist will talk with you about your background including school, work, family, housing, criminal involvement and other topics. You will be asked to take a math and reading skills inventory. *It isn't graded and the results are used to support your career goals.*

Your criminal justice specialist will discuss the results of your self-directed search with you. The self-directed search is a vocational survey with no good or bad results and allows us to assist you in developing a desirable career path that enables you to provide for yourself and your family.



Developing Your Personal Responsibility Plan

Your personal responsibility plan is the list of goals that you develop with your criminal justice specialist. After the personal responsibility plan is outlined, the courts will mandate that you fulfill the goals and objectives outlined in the plan. You must achieve those goals and objectives to graduate from Back on Track. The purpose of the plan is to assist you in acquiring and/or developing the skills necessary to support yourself and your family.

You will be asked to set goals in the following areas as they apply to your needs. It is not required that you set goals in all of these areas:

- Community Service
- Education
- Family
- Workforce
- Housing
- Legal
- Wellness
- Self-Organization



Community Service Goal

Because your actions have had a negative impact on your family, friends and community, this goal provides you with the opportunity to actively give back to the community through constructive volunteer work.

- If you are currently unemployed, you will be required to do 220 hours of community service.
- If you are currently employed, you will be required to do 110 hours of community service.

Your criminal justice specialist will assist you in setting up the community service site, possibly connected to a Goodwill store in your community. *You will be expected to start your community service hours immediately and to complete a minimum of 60 hours during Phase 1. All other goals will be worked on in Phase 2.*



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Education Goal

This goal depends on your individual situation and current skill level, and involves one or more of the following:

- Increasing functional literacy or other basic educational skills
- Obtaining GED
- Obtaining high school diploma
- Enrolling in a community or four year college
- Enrolling in a trade or vocational school
- Other goals as needed

Family Goal

If you or your partner is pregnant, your goal may be to obtain pre-natal care, take parenting and/or birthing preparation classes or prepare your home and life for your new child.

If you have or will soon have young children in your home, your goal may be to increase parenting skills, obtain San Francisco Health Plan coverage, update immunizations and vaccinations, get involved in your children's education and Parent Teacher Association, spend time with your kids doing positive activities or address child support issues.

If you are a non-custodial parent, your goal may be to comply with any child support or other required payments, begin the reunification process, schedule regular visits, or do other positive activities as allowed by the law. Our partnership with Child Support Services helps you meet these goals.





Workforce Goal

Back on Track requires you to work.

- If you are already employed, your goal will be to retain your position or obtain a new job if necessary, increase your hours, and increase your wages.
- If you are not employed, your goal will be to obtain and retain employment.
- If you have never worked or worked very little, your goal may be to complete STRIVE or another job readiness program.
- If there is a particular trade that interests you, your goal will be to take and complete a training program.
- Once a slot is available, you may be enrolled in Goodwill's Transitional Employment Program.

Using the nationally recognized STRIVE system, the Family School trains and places program graduates into jobs that offer opportunities for advancement. After placement, trained counselors offer two years of follow up and support.

The Transitional Employment Program

This job training program has an introduction and five parts:

- **Career Advancement:** This is a two-week, 21-hour training that promotes personal and employment success. Completion of this workshop generally leads to enrollment in Goodwill's Work Based Evaluation (WBE).
- **Work Based Evaluation:** This is five weeks of paid work and training consisting of intake, part time work, and job seeking skills classes. You'll develop an employment portfolio and individual career plan, as well as identify any employment barriers. You will receive referrals to support services as needed. Successful completion of WBE generally leads to enrollment in Goodwill's Transitional Employment Program.
- **Transitional Employment Program:** This is a work opportunity in retail or production offering on-the-job skills training and supervision. You will be paid \$8.82 per hour for up to 40 hours of work per week for six months.
- **Placement Services:** While in Transitional Employment you will be enrolled in Placement Services and receive assistance with targeted resumes, cover letters, development of a master application, interview practice, locating and identifying job leads, and interview debriefing.
- **Job Retention:** We continue to guide you while you are working. We will help you identify any worksite issues and develop plans to promote job retention.



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Housing Goal

Finding suitable and safe housing is a challenge that can take time and resources, and we will do our best to guide and support you. For this goal, we will work with you to maintain or obtain housing, which may include:

- Stabilizing your current housing situation
- Applying for public or subsidized housing
- Identifying new or transitional housing
- Living in a place where you are safe and away from negative influences

Legal Goal

All program components listed in this handbook, and others as assigned through your Back on Track enrollment, are *mandatory legal requirements*. You will be responsible for:

- Showing up to all court appearances on time
- Completing community service
- Meeting with and calling your criminal justice specialist as required
- Completing all program goals
- Attending monthly mandatory meetings
- Not getting rearrested for any type of offense, including stay-away violations





Wellness Goal

Depending on your individual needs and conversations with your criminal justice specialist, this goal may involve addressing one or more of the following issues through counseling, classes or groups:

- Domestic violence
- Personal safety
- Positive decision making
- Substance abuse
- Mental health
- Stress management
- Anger management
- Problem solving
- Financial literacy
- Goal-setting



Self-Organization Goal

This goal supports you to meet basic responsibilities necessary to live a stable life. These may include:

- Reinstate your driver's license
- Obtain state identification or social security card
- Open a bank account
- Attend financial literacy workshops
- File taxes and apply for Earned Income Tax Credit



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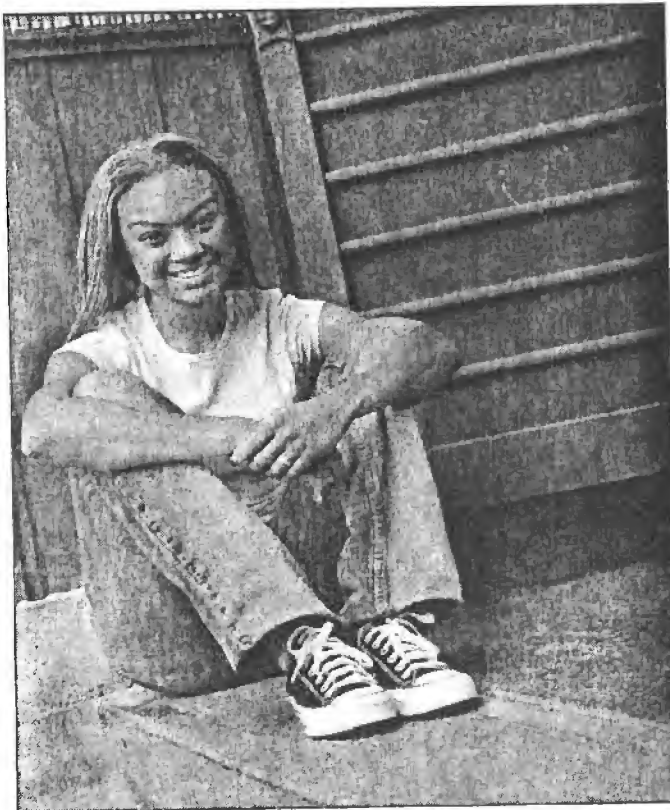
Successful Completion of Phase 1 Means You Have:

- ✓ Developed a personal responsibility plan
- ✓ Completed a minimum of 60 hours of community service
- ✓ Begun 32 hours a week of work or program related activity

At the end of Phase 1, the Back on Track team will review your involvement for the past six weeks and determine if you are eligible to continue. You will be asked if you wish to continue in the program.

If both you and the staff say yes, you will be recommended for Back on Track and enter a *Deferred Entry of Judgment* at your next court appearance.

A *Deferred Entry of Judgment* refers to a procedure that suspends the criminal proceedings with a plea of guilty for qualified defendants for a period of time as outlined in the court approved program. Upon successful completion of the program you will be allowed to withdraw the guilty plea and the case will be dismissed. If unsuccessful, the court will impose final judgment and sentencing.



**Now
you are
on your
way!**



Chapter 4

Phase 2: The Next Twelve Months

Activities

Over the next year, here's what you'll be required to do:

- Continue and complete community service hours
- Begin and complete all items on personal responsibility plan
- Begin addressing educational and pre-vocational goals within two weeks of entering a *Deferred Entry of Judgment*. This may include:
 - Obtain outside employment or enroll in Goodwill Transitional Employment Program
 - Enroll in classes outlined in personal responsibility plan
- Meet with Goodwill staffing specialist to review employment plan and determine the timing for:
 - Job search if you are unemployed or not in Goodwill Transitional Employment Program
 - Obtaining more hours, a better job, or a promotion if you are Underemployed



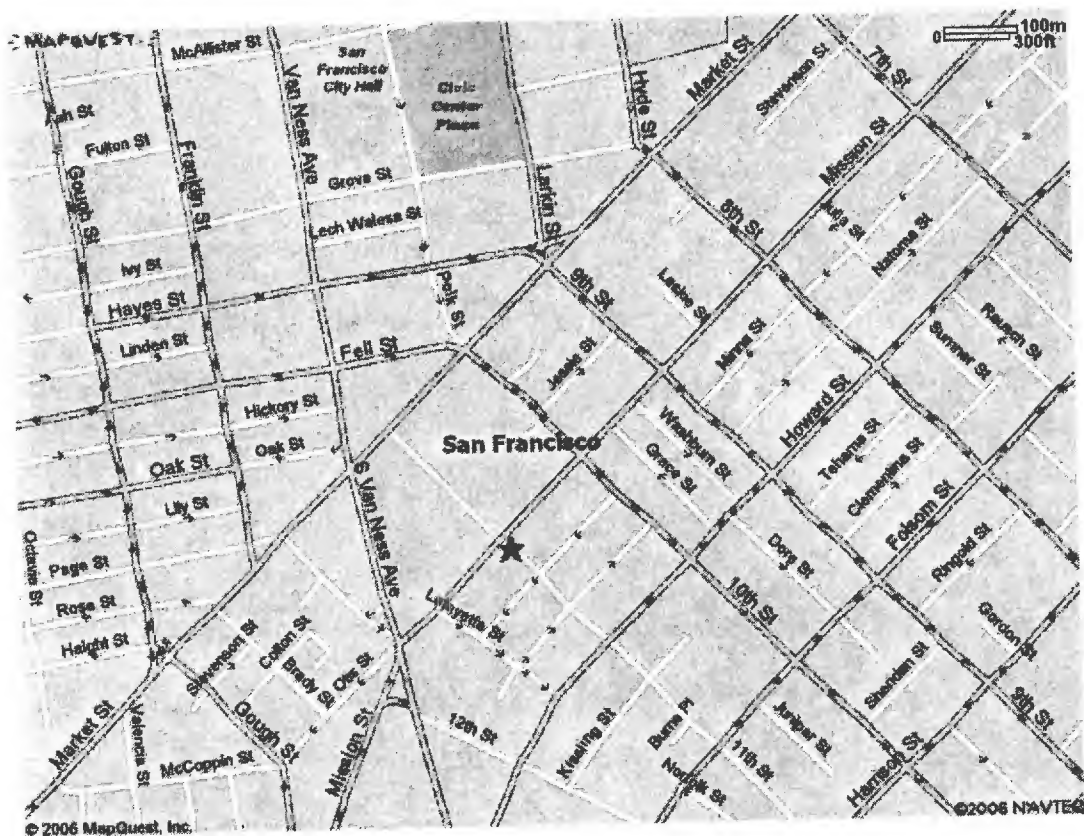
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Mandatory Monthly Meetings—Required Evening Classes

Your attendance at the Back on Track monthly meetings is critical for successful completion of the program. *Back on Track participants are required to attend all mandatory meetings in their entirety.* These forums will feature motivational speakers and other information including street law, managing personal finances and career opportunities. Food will be provided, and please let us know if you need to bring your children.

The mandatory meetings are held at the Goodwill offices and begin promptly at 5:30 p.m. You will be given a 15-minute grace period, but your criminal justice specialist will record and report your tardiness and participation to the District Attorney's office and the court.

Goodwill is located at 1500 Mission Street between 11th Street and South Van Ness, one block off Market Street. There is limited street parking. We are located near the Civic Center BART station and numerous MUNI lines including trains, buses and street cars.





You and the Court

- You will be required to appear in court approximately every two weeks.
- You will be required to show up promptly for all court appearances.
- You will be expected to demonstrate appropriate behavior in court at all times, including a positive attitude and no use of cell phones.

Every participant admitted into the program will have a stay-away order, which simply states you must stay at least 150 yards or more away from the location where you were arrested. The court may stipulate that you stay at least 150 yards away from all San Francisco Housing Authority properties or set other conditions. Violation of this order is a criminal offense under Penal Code section 166(a)(4) and may constitute probable cause for an arrest. A stay-away order lists your name, age, weight, height, date of birth, eye and hair color, sex and race for the purpose of establishing identity. All orders are signed by a judge and placed in the original court docket after each participant is personally served with a copy through their counsel. When the program is completed, stay-away orders will be dismissed.



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Sanctions

What happens if you do not do what the court and program require?
Depending on the severity, the judge may:

- Give you a legal warning
- Order you to do SWAP
- Remand you to one or more days in jail
- Terminate you from the program

If you are terminated from the program, your guilty plea to the felony drug charge automatically becomes final and you will be scheduled to go before the judge for sentencing (see Appendix D - Sanctions Chart).

Reduced Requirements

What happens if you consistently do everything asked of you?

- The frequency of your court appearances may be reduced.
- The frequency of required contact with your criminal justice specialist may be reduced.
- You might become eligible for early graduation.
- You might be offered additional opportunities.



You and Your Criminal Justice Specialist: Staying in Touch

- You will be expected to call your criminal justice specialist twice a week.
- You will be expected to see your criminal justice specialist in person once a week.
- You must provide your criminal justice specialist with documentation of your ongoing class and/or work schedule and school or employment staff contact information.
- You must give your criminal justice specialist documentation indicating you have completed the goals on your personal responsibility plan no later than one work day before your court date.
- You must provide your criminal justice specialist with any information that impacts your personal responsibility plan or current case. We can't help you unless we know what's going on.
- You must let your criminal justice specialist know if you're having any problems meeting your program goals. He or she is here to assist you, but you must be honest and keep him or her informed. Goodwill criminal justice specialists are invested in your success and will meet you halfway. Our goal is to address your needs and watch you graduate!



"What I learned is how to stay out of trouble and that people in the system do care for people like me. I have changed a lot. I have made new friends that don't sell drugs and when I'm out of this program, I will continue to be with my family until my daughters are all grown up. I love my kids too much to sell drugs."

Back on Track Graduate



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Graduation from Back on Track

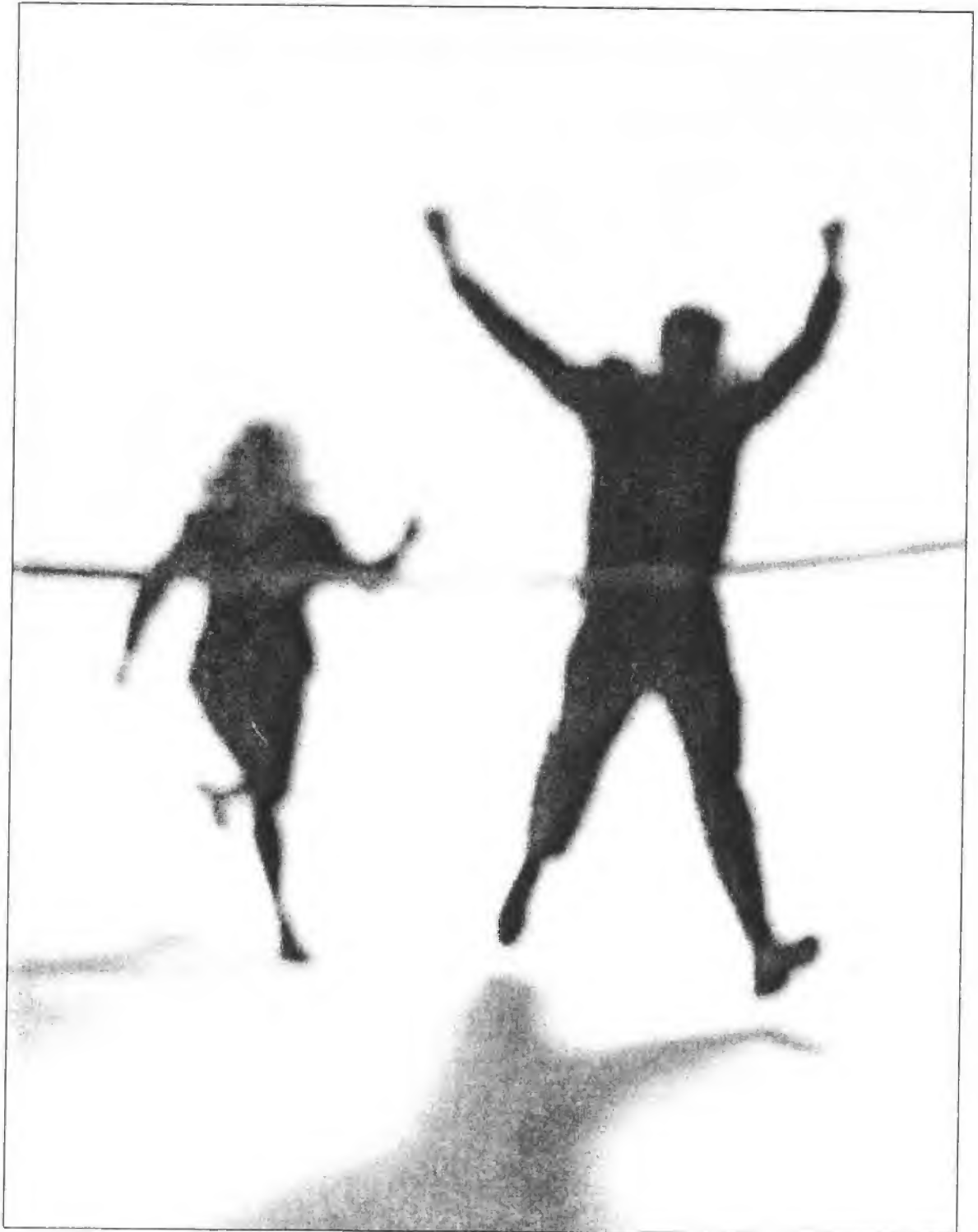
This is the moment you have been working towards. This is your opportunity to enjoy the success of your commitment! Before you are able to graduate, the following must apply:

- You must have no new charges.
- You will be required to write an exit plan.
- You will be required to write an exit essay describing what you have gotten out of the program.
- You will be asked to return to the next mandatory meeting to present this essay to other Back on Track participants. Because you will be a graduate of the program at that time, you will be compensated for your time in coming to the meeting.

At your last court appearance, your guilty plea will be withdrawn, and the District Attorney will publicly drop the current charges against you.

You will leave the courtroom without a felony conviction, without a prison sentence, without probation or parole, free to build a life with your family, friends and community. Congratulations!

**Now you are Back on Track
for the life you deserve!**





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Chapter 5

Phase 3: After Graduation

Placement and support services are available to you at all times.
Goodwill staff can:

- Help you identify resources
- Help you find a new job
- Provide career development advice
- Provide other support as identified by you

Giving Back: Being a Role Model

The opportunities provided through this program were planned and implemented through a partnership between the courts, the District Attorney and Goodwill. Representatives from each of those agencies have gone out of their way to provide you with a fresh start and a clean record that won't follow you around for the rest of your life. As a result, we are requesting that you give back to the next rounds of Back on Track participants and share your experience, inspiring others to make the same positive choices you did. Accordingly, you may be:

- Invited to speak at a monthly meeting
- Asked to return for a focus group so we can get your input about the strengths and weaknesses of Back on Track
- Compensated for your participation

By doing this you have a direct impact on your community, and are taking a step forward as a leader and role model.

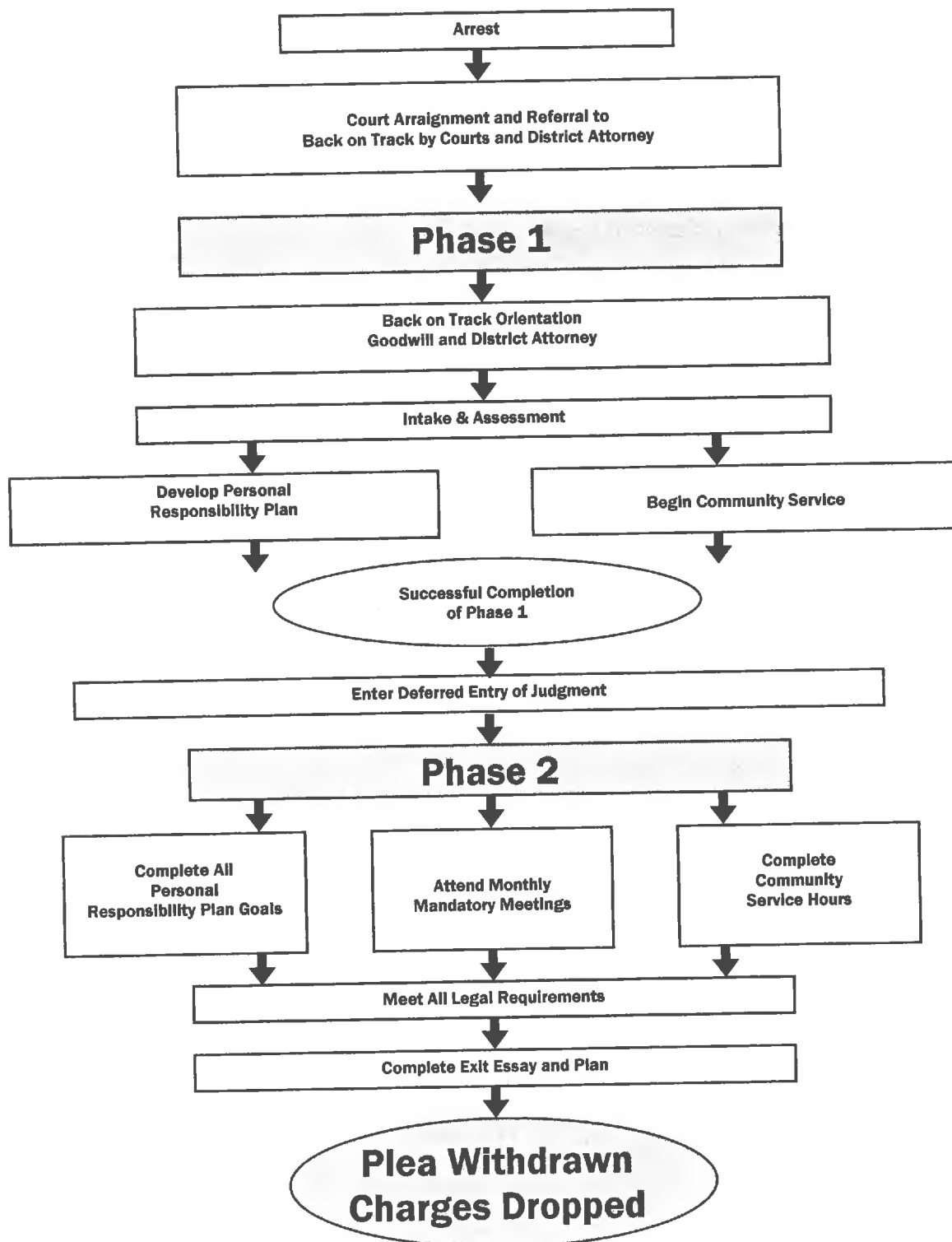
**Thank you, in advance, for your support.
Please update us if any of your
contact information changes.**



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Appendix A—Back on Track Activities





Appendix B

Our Commitment

If you agree to engage fully in this program, the District Attorney and Goodwill Back on Track partnership promises you a unified team to assure your success.

Goodwill criminal justice specialists will meet with you regularly and assist you in developing your personal responsibility plan including the steps to finding a job in your area of interest. They'll help you connect with an appropriate community service site, and refer you to quality services or programs to complete your other goals. They'll assist you through every aspect of this program.

Back on Track placement staff meet with you to discuss your career plans and outline the timeline and process to prepare for your job search. They will connect you with employers in your field of interest, and assist you with your search at every stage.

Management staff will assure the quality of services provided to you, expand the scope of what is offered, and assist you in resolving any conflicts that may arise.

The District Attorney's Back on Track staff is committed to providing you with the opportunity to turn your life around. The staff is available to you in court and at monthly meetings to address any questions or concerns. The District Attorney's office will work closely with Goodwill staff to monitor your progress and support your success. Their promise is the heart of this program: If you fulfill the requirements of Back on Track, the District Attorney will address the judge in open court and state: *"In the interests of justice, the District Attorney's office requests the charges be dropped."*



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The San Francisco District Attorney's office is led by Kamala D. Harris, the first female District Attorney in San Francisco and the first African American woman in California to hold the office. She was elected in December of 2003. Inaugurated on January 8, 2004, District Attorney Harris committed to bringing San Franciscans a "smart on crime" approach – prosecuting crime with resolve while remaining committed to rehabilitation and placing a priority on preserving civil liberties.

In keeping with the theme of being "smart on crime," District Attorney Harris has convened city leaders along with key partners to launch Back on Track, an innovative education and employment entry initiative focusing on young adult drug offenders. This program is designed to increase community safety by reducing recidivism. Back on Track couples strict accountability and close supervision with education, employment, support and health care. The purpose of Back on Track is to prevent young people from committing crimes by leading them to make life changing choices.

Goodwill Industries

Goodwill Industries of San Francisco, San Mateo and Marin Counties is an autonomous not-for-profit social enterprise dedicated to creating solutions to poverty through workforce creation, social action and environmental stewardship. With 17 retail stores, a growing online store and an extensive re-use and recycling operation, we help people overcoming barriers to employment move forward on their career paths, build sustainable livelihoods, and transform their lives and communities. A mid-sized employer of more than 500 employees, we generate over 85 percent of our revenue through our businesses.

Our Vision

Our Goodwill envisions a world free of poverty where people have the power to support themselves and their families, live in safe and thriving communities, and actively care for the environment.

Our Mission

We create solutions to poverty through the businesses we operate.



Appendix C Contact List

**Goodwill Industries of San Francisco,
San Mateo and Marin Counties**
1500 Mission Street, San Francisco, CA 94103
(415) 575-2170 fax

Jesus Chavez, Criminal Justice Specialist
(415) 575-2161

Joanna Hernandez, Criminal Justice Specialist
(415) 575-2190

Camille Dawkins, Criminal Justice Specialist
(415) 575-2117

Judy Siff, Manager, Criminal Justice and Reentry Initiatives
(415) 575-2182

David Mauroff, Director, Criminal Justice and Reentry Initiatives
(415) 575-2105

San Francisco Office of the District Attorney
850 Bryant Street, San Francisco, CA 94105

Ranon Ross, Back on Track Coordinator
(415) 553-9665

Lateefah Simon, Director of Reentry Programs
(415) 575-6328



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Appendix D

Examples of Program Sanctions

Offense	Sanction
New arrest	Automatic program termination
No show to court	Automatic bench warrant
Late to court	Write essay on personal responsibility, accountability and importance of punctuality
Negative behavior in court or during program activity	One or more days of SWAP
Out of contact with criminal justice specialist	Court orders participant to keep in contact. If repeated, court orders one or more days of SWAP.
Non-compliance with any program activity	<p>Sanctions will be applied based on the severity and/or frequency of non-compliance:</p> <ul style="list-style-type: none">• Assign community service or increase the number of community service hours already assigned• Assign SWAP• Report to court once a week until the program is satisfied that participant is in full compliance• Assign reading and writing assignments• Remand into custody for up to five days• Termination from program



Appendix E

Participants' Rights and Grievance Procedures

Rights of Persons Served

As a participant in a Goodwill program, you have the following rights:

- Confidentiality of information
- Privacy
- Respectful treatment by staff and peers
- Freedom from abuse, financial or other exploitation, retaliation, humiliation and neglect
- Ability to make informed decisions about your case and program
- Access to your case record (see appropriate procedure)
- Choice, including consent or refusal, regarding:
 - Which services you will receive (internal and external to Goodwill), and who will be providing the services
 - Release of information
 - Involvement in research projects – Note: Goodwill is not currently involved in any research projects. If this were to occur, you would be notified and you would have the right to participate or not in the project. Please be assured that Goodwill will follow all the appropriate and ethical guidelines regarding research protocol.
- Access or referral to legal representation, self-help and advocacy support services
- Investigation and resolution of alleged infringement of rights
- A safe, comfortable and accessible work and training environment
- Reasonable accommodations
- All other legal rights



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Grievance Procedure

As a participant in a Goodwill program, you have the right to be treated respectfully and fairly at all times. If you feel that you have not been treated respectfully or fairly, you have the right to make an informal complaint or file a formal grievance. Making a complaint or grievance will not result in retaliation or barriers to service.

Informal Complaint

If comfortable doing so, request a meeting with the person with whom you have the complaint within five business days of the incident or problem to see if you can resolve it with him or her. If the problem is not resolved or you do not feel comfortable with the above talk to your criminal justice specialist:

Name: _____ Phone: _____

For a problem with your criminal justice specialist, talk to Judy Siff, Manager, Criminal Justice and Reentry Initiatives, at (415) 575-2182.

Formal Complaint

If you feel your complaint hasn't been resolved by the above procedure, you may file a formal grievance. Submit your complaint in writing to David Mauroff, Director, Criminal Justice and Reentry Initiatives, at (415) 575-2105. The program director will help you write the complaint as necessary. You need to make this formal complaint within five business days of receiving a response from the informal complaint.

If the problem is still unresolved, you may provide the written complaint to Makini Hassan, Chief of Career Services, at (415) 575-2145. You need to do this within five business days of receiving a response from the program director.

If the problem is still unresolved, you may provide the written complaint to Deborah Alvarez-Rodriguez, President and CEO, at (415) 575-2104. You need to do this within five business days of receiving response from the chief.

In any of the above meetings, you may have your criminal justice specialist and/or an advocate present. In all cases, the recipient of the complaint will provide you with a written response within five business days from receiving the complaint.

At any time, you may also use external legal services to assist with your complaint, and/or the services from your funder, referral agency, or other sources.

Name: _____ Phone: _____

Name: _____ Phone: _____

Participants' Rights and Grievance Procedures Notification

I have received a copy of my Participants' Rights and Grievance Procedures, and know that I may receive further copies as needed. This information was communicated to me in a manner that I was able to understand. I know that if I have any questions about my rights or the grievance procedure, I can ask my criminal justice specialist.

Name _____ Date _____



Appendix F

What Graduates Say About the Program

██████████

I've been part of the Back on Track Program for one year now, and in that time my life has changed dramatically. I went from selling drugs on the streets to talking to people about being first time home buyers. I am currently employed as a loan officer. I really like this program because it gives you a second chance with your life and helps you get your priorities together before you become a statistic of the system. In other words it keeps you from graduating from the county jail to the penitentiary or from a misdemeanor to a felony.

In the beginning I thought that this program was like any other program— getting in and getting right out again. But this particular program, I noticed, had a job search piece to it— **AND THEY MADE YOU GET A JOB.** I also saw that the DA's Office comes to the mandatory meetings, as well as special guests with numerous jobs in San Francisco that care for people in this program. Since I've been in this program I have learned my responsibilities in life such as staying positive, staying around positive people and being more supportive to my family. In the past, I always surrounded myself with negative people and I always had negative results. But I must say that it is never too late to change negative to positive. Thank you, Back on Track!

██████████

About one year ago, I was arrested for selling drugs. That day my life was forever changed for the better, of course. Before I came to Back on Track I was basically illiterate. My mouth was my mouth. If you don't know what I mean, I was very good at talking my way out of doing things. When I first met Jesus (criminal justice specialist at Goodwill), I said that I couldn't understand him, but to keep it real, it was my attitude that didn't want to understand him. I later got a call from the supervisor of the Back on Track Program. She told me that if I didn't fix my mouth, I would be kicked out of the program. You better believe I fixed my attitude so quick and fast. For the record, that lady is a real sweetheart. She gave me the boost I needed to do what I needed to do. And I thank her for that. I was so used to being babied... that I didn't really know what the program was about.

My goal from here on in is to keep improving my reading and writing skills, find a full time job, continue to live my life positively, and take good care of my children, so that I can be a positive role model for them.

When I started Project Read, I gained the confidence to read to my kids. That was something that I was not able to do before. Some people think that not having money or a nice car is a problem, but not being able to read to your children is a real problem. That's bad. One year ago, I wasn't able to help my son with his homework. He would always have to ask his mother to help him. But this year you better believe I will be the one to help him. That is something I am very proud to say. I am one of the lucky ones. I truly believe that. From here on out I'm going to continue to live my life positively and be the best man I can be.



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██████████
The problem that I had before was that I always wanted to be like the next man, selling drugs. It was fast and easy, everything going my way. I was my own boss until I got busted. That's when I knew drugs had its price: jail or death. Drugs sent me to jail. I never want to go back there. So I did something positive with my life and found a job.

Why did I decide to do the program? I decided to do this program because it was offered to me to see if I would stand in the gap or fall in it. I see that I'm still standing, so I must be doing something right. When I started this program, I thought it was going to be very hard. My first case worker wasn't really putting pressure on me. So I'm thinking, *"This is way too easy. I'm a sleep through this."* But he got fired and this new guy, Jesus Chavez, didn't give no slack.

The first time I went to court with him, I had no paperwork so the Judge sent me to jail for two days for not listening or keeping in contact. I knew this guy was not playing. I got out and had a face-to-face talk with Jesus and then I understood what this program was really about. Jesus helped me get to where I'm at right now, a graduate student, not felony-convicted.

What I learned is how to stay out of trouble and that people in the system do care for people like me. I have changed a lot. I have no more feeling about selling drugs. I have made new friends that don't sell drugs, and when I'm out of this program, I will continue to be with my family until my daughters are all grown up. I will not sell drugs. It separated me from my daughters long days and cold nights. I will be with them, and I'm something very big in their lives. I love my kids too much to sell drugs. Thank you for showing me a way.



[REDACTED]

I should start by saying that sometimes we make the wrong decisions, but what matters is learning from our mistakes. Well, when I came into the program, I had a few things on my shoulders. I thought that by selling drugs it would make things easier in life for me. I have learned the hard way. After this charge, I had my children removed from my custody. This felony that was pending made my case more difficult to recuperate my children. I felt everything had piled up all at once. I became depressed. On top of Back on Track, I had to attend Mission Council from 5-8 daily, a domestic violence class and therapy. I had my life scheduled around my work requirements in order to get my children back. This has been very hard to deal with - - all this at once.

At the beginning I was desperate because I didn't know how I was going to finish all of these programs, but luckily I had a very supportive case manager. Because he knew how to understand and communicate my problems to the judge, he always gave me strength to keep moving forward and not to give up. I could do it if I wanted things to be right again.

Although it has taken me time to finish a lot of things, I have accomplished a lot during the past six months...I managed to get my children back into my custody, finished a parenting program, learned a lot from anger management class, substance abuse program, and domestic violence therapy. All of these experiences at these programs have made me learn a lot and understand different kinds of views and opinions in life. I have learned that things in life aren't easy to obtain. If I want something, I have to work for it. It gives me better satisfaction as a person and I have a better life for me and my family. I am happy for me and my children. I know that I got another chance to change my life. I am better in my personal life, socially and educationally, always supported with the resources of Back on Track.



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Appendix G

Glossary of Legal Terms

Acquittal

A legal judgment, based on the decision of either a jury or a judge, that an accused is not guilty of the crime for which he or she has been charged and tried.

Adjudication

The judicial decision that ends a criminal proceeding by a judgment of acquittal, conviction, or dismissal of the case.

Appeal

Following a conviction, the offender may appeal the judgment of conviction to the state appellate court with jurisdiction over the case.

Arraignment

The first appearance before the court by a person charged, at which time he or she is advised of the pending charges, the right to counsel, and the right to trial by jury.

Arrest warrant

An order made on behalf of the state, based on a complaint, and signed by a judge authorizing police to arrest a person thought to have committed a crime. A person arrested on a warrant stays in jail until bail is posted or until released by order of the court.

Bail

Money or property promised or given to the court as security when a defendant is released before and during his or her trial with the agreement that he or she will return to court when ordered to do so. The court sets the bail amount or value depending on several factors, including seriousness of the charges and the likelihood that the defendant will attempt to flee prior to the required court appearances. Bail is forfeited to the court if the defendant fails to return to court.

Beyond a Reasonable Doubt

The degree of proof needed for a judge or jury to convict an accused person of a crime.



Burden of Proof

In the criminal context, the State carries the burden of establishing beyond a reasonable doubt that the accused committed the offense for which he or she is charged.

Charge

A formal accusation filed by the prosecutor's office that a specific person has committed a specific crime; also referred to as "pressing charges."

Complaint

A preliminary charge made by the state that a person has committed a specified offense.

Concurrent Sentences

Running together -- concurrent sentences run, or are served, at the same time.

Consecutive Sentences

Sentences run one after the other.

Continuance

A delay or postponement of a court hearing; the case is said to be "continued" when it has been delayed or postponed. A case can be continued for good cause, such as illness or witness unavailability, or by agreement of the parties.

Conviction

A judgment of the court, based either on the decision of a jury or judge that the defendant is guilty of the crime for which he or she was tried.

Crime

A violation of the law.

Defendant

A person who has been formally charged with committing a specific crime.

Defense Attorney

The lawyer who represents the defendant in a legal proceeding.



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Deferred Entry of Judgment

Deferred Entry of Judgment refers to a procedure that suspends the criminal proceedings with a plea of guilty for qualified defendants for a period of time as outlined in the court approved program. Upon successful completion of the program the defendant will be allowed to withdraw the guilty plea and the case will be dismissed. If unsuccessful, the Court will impose final judgment and sentencing.

Deposition

Sworn testimony of a witness taken outside of court in the presence of the attorneys for the defense and prosecution. A deposition can be used at trial to impeach or discredit a witness's testimony or can be read to a jury if the witness is unavailable.

Dismissal

A decision by a judicial officer to end a case for legal or other reasons.

Disposition

The final decision which ends a criminal proceeding by judgment of acquittal or dismissal or which sets the sentence if the defendant has previously been convicted.

Felony

A serious crime punishable by more than one year in prison.

Grand Jury

A body of persons, selected and convened upon order of a judge, to inquire into and return indictments for crimes. The grand jury has the power to request that the circuit clerk issue subpoenas to bring people to testify before it.

Habeas Corpus - federal

Refers to a proceeding wherein a prisoner challenges the lawfulness of his or her imprisonment. An action by way of writ of habeas corpus does not function to determine the prisoner's guilt or innocence. When the proceeding is brought by a state inmate, review extends to the constitutionality of the imprisonment.



Hearing

A legal proceeding in which arguments, witnesses, and/or evidence are heard by a judicial officer or administrative body.

Hearsay

Testimony of an individual that is not from his or her personal knowledge, but from what the witness has heard another person say.

Implied Consent

If one is granted the privilege of possessing a driver's license, one has automatically given "implied consent" to submit to alcohol or drug testing.

Indictment

Formal charging document presented by the prosecuting attorney to a grand jury. The grand jury may then issue the indictment if it believes that the accusation, if proved, would lead to a conviction.

Information

Formal charging document issued by a prosecuting attorney (with no grand jury involvement).

Infraction

A violation of a statute in which the only punishment authorized is a fine and which is expressly designated as an infraction.

Jail

Local facility where persons in lawful custody are held; defendants awaiting trial and defendants convicted of minor crimes usually are held in jail, as opposed to prison.

Judicial Officer or Judge

An officer of the court who determines causes between parties or renders decisions in a judicial capacity. The judge generally decides questions of law, except in the case where a jury-trial is waived, the court also then functions as a fact-finder.



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Misdemeanor

A crime that is less serious than a felony and for which the punishment is usually imprisonment for one year or less, usually in a jail or other local facility, and/or a fine.

Parole

Release of a prisoner from imprisonment, but not from legal custody.

Personal Recognizance

The promise of an accused person to the court that he or she will return to court when ordered to do so. The promise is given in exchange for release before and/or during his or her trial.

Plea

A defendant's formal answer in court to the charge(s) that he or she is accused of committing.

Plea Agreement / Plea Negotiation

An agreement between the State and defendant wherein the defendant agrees to plead guilty under certain terms and conditions. Since both the State and the defendant risk losing should the case go to trial, plea agreements are a means of arriving at a reasonable disposition without the necessity of going to trial..

Plea of Guilty

Admission of guilt in open court.

Post Conviction Proceedings

Following conviction and direct appellate review, many states provide for procedures for post conviction review. Typically the grounds for relief under these proceedings are both limited and different from those on appeal from a conviction.

Preliminary Hearing

The hearing for a person charged with a felony before an associate circuit judge, wherein the State must establish that there is probable cause to believe that the accused committed the specific crime charged, and which may require witness testimony.



Pre-Sentence Investigation (PSI)

The PSI is usually conducted by a probation officer after a plea or verdict of guilty. Done before sentencing to enable the judge to learn more about the defendant so that he or she is better able to impose a proper sentence. The PSI includes information about the defendant's criminal history and personal background. The individual conducting the PSI will contact the victim of the crime to determine how he or she has been impacted by the defendant's actions.

Prison

State facilities where persons convicted of the commission of a felony are held.

Pro Se

When the defendant is not represented by counsel, as he or she has waived the right to counsel in a criminal proceeding, or is otherwise not represented in a civil proceeding.

Probable Cause

Degree of proof needed to arrest.

Probation

Conditional freedom granted to an offender by the court after conviction or a guilty plea with requirements for the offender's behavior, and which any violation of such requirements may result in revocation of the probation. Supervision is usually by a probation officer.

Prosecutor

A lawyer employed by the government to represent the general public's interests in court proceedings against people accused of committing crimes.

Public Defender

An attorney that is employed by a government agency to represent defendants who are unable to hire private counsel.



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Restitution

Payment made by a defendant to the victim as reimbursement for monetary losses incurred as a result of the crime. Restitution may be ordered by the court as part of a sentence.

Subpoena

A court order requiring a person to appear in court on a specified day and time to give testimony. May also include an order to produce documents or records. Failure to appear constitutes contempt of court.

Summons

Court order used to bring a person accused of a minor crime to court.

Suspended Execution of Sentence (SES)

Disposition of the criminal case where the defendant is actually sentenced to a specific period of incarceration, but is placed on probation without having to serve that sentence if the conditions of probation are met.

Suspended Imposition of Sentence (SIS)

Disposition of a criminal case where the defendant is placed on probation without an actual sentence or period of incarceration being imposed. The defendant may be later sentenced and incarcerated if the conditions of probation are not successfully met.

Victim Impact Statement

A statement given by the victim(s) which details how the crime has affected him or her, and what sentence the victim believes would be appropriate. The statement is the only time that a victim will have to address the judge, who imposes the sentence on the accused. The statement is given to the prosecuting attorney, who forwards it to the judge after a verdict is reached and prior to sentencing.



Receipt

Back on Track Participant Handbook

This is to acknowledge that I have received a copy of the *Back on Track Participant Handbook*. I have had the opportunity to discuss this program with the Back on Track staff and to ask questions.

Based on the discussion today, I am clear about the policies and procedures and plan to participate in Phase 1 of Back on Track.

I understand that my participation in the year-long program after the first six weeks depends on my successful completion of Phase 1, approval by Back on Track partners and my desire to continue.

Print name

Signature

Date



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